IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 20957 of 2007

DATED: 4.12.2007

Between:
Mellacheruvu Venkataiah petitioner

And

The Commissioner of Fisheries,
Hyderabad and ors Respondents

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THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 20957 of 2007

ORAL ORDER:

This writ petition is filed questioning the action of the respondents in not admitting the petitioner and 53 others as members of the 5th respondent society, as illegal and arbitrary.

The petitioner claims that he belongs to scheduled caste and a skilled fisherman and made an application for admission into the 5th respondent society, which is having its operations in the fish tanks located in the village in an extent of about Ac.650.00 and alleges that the office bearers of the 5th respondent society due to political and other pressures are not admitting him and other similarly situated persons. Hence, the present writ petition.

A counter affidavit is filed on behalf of the 5th respondent denying the allegations made in the writ petition and stating that it is a registered society having registered in the year 1992 with registration NO.QFC.222/92 under A.P.Cooperative Societies Act, 1964, having 175 members and area of operation of Ac.243.69 cents i.e. Ura Cheruvu. It is specifically stated that there is no economic viability and feasibility to admit any new members. The allegation of the writ petitioner as to refusal to receive his application etc, was specifically

denied.

Learned counsel for 5th respondent society Ms M Vidyavathi, while denying the allegations made in the writ petition submitted that no application in the prescribed form was received from the petitioner or any other person for admission into the 5th respondent society and if any such application in prescribed form is submitted, the same would be considered in accordance with Rules and Bye-laws of the society.

Heard the learned counsel for petitioner, learned Government Pleader for Fisheries and learned counsel for 5th respondent. Counsel appearing on both sides, agreed for disposal of the writ petition at the admission stage.

Having regard to the agreed stand taken by counsel appearing for both sides, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition directing the petitioner to submit an application in prescribed form to the 5th respondent and on submitting such an application, the 5th respondent society is directed to consider the same and pass appropriate orders in accordance with law, expeditiously, preferably within a period of three months thereon.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

DATE: 4.12.2007

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